

AMENDED IN ASSEMBLY MAY 29, 2012

AMENDED IN ASSEMBLY APRIL 26, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2504

Introduced by Assembly Member Beth Gaines

February 24, 2012

An act to ~~add Section 8491.5 to, amend, renumber, and add Section 8491 of, and to repeal Section 8490 of, the Fish and Game Code, relating to commercial fishing.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2504, as amended, Beth Gaines. Commercial fishing: crayfish.

Existing law governing the commercial fishing of crayfish prohibits the sale or purchase of crayfish taken from Lake Tahoe or the Lake Tahoe Basin.

This bill would repeal that provision.

Existing law requires the taking of crayfish to be subject to ~~such~~ regulations ~~as prescribed by the Fish and Game Commission may prescribe.~~

~~This bill would state legislative intent regarding the commercial taking of crayfish in Lake Tahoe or the Lake Tahoe Basin.~~

This bill would authorize the department to establish a commercial fishery for crayfish in Lake Tahoe. This bill would require any allowance for the commercial taking of crayfish in Lake Tahoe to be for the primary purpose of population reduction and control of the signal crayfish, as prescribed. The bill would authorize the department to impose a charge on participants in the commercial fishery to reimburse

the department and other applicable state agencies for the reasonable costs of implementing and enforcing the fishery.

This bill would require the commission to ensure that, with respect to the taking of crayfish for commercial purposes in Lake Tahoe ~~or in the Lake Tahoe Basin~~, the commission's regulations are consistent with the Lake Tahoe Region Aquatic Invasive Species Management Plan, as amended.

Existing law generally makes any violation of fish and game laws, or of any rule, regulation, or order made or adopted under those laws, a misdemeanor.

Because this bill would authorize the establishment of a commercial crayfish fishing program, the violation of which would be a crime, the bill would create a state-mandated local program by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8490 of the Fish and Game Code is
- 2 repealed.
- 3 SEC. 2. ~~Section 8491.5 is added to the Fish and Game Code,~~
- 4 ~~to read:~~
- 5 ~~8491.5. (a) It is the intent of the Legislature that any allowance~~
- 6 ~~for the commercial taking of crayfish in Lake Tahoe or in the Lake~~
- 7 ~~Tahoe Basin be for the primary purpose of population reduction~~
- 8 ~~and control of the signal crayfish, an invasive species, and that the~~
- 9 ~~commercial taking of crayfish be allowed only to the extent that~~
- 10 ~~it is consistent with state goals for management of invasive species~~
- 11 ~~and environmental standards.~~
- 12 ~~(b) The commission shall ensure that, with respect to the taking~~
- 13 ~~of crayfish for commercial purposes in Lake Tahoe or in the Lake~~
- 14 ~~Tahoe Basin, the commission's regulations are consistent with the~~

~~Lake Tahoe Region Aquatic Invasive Species Management Plan,~~
~~as amended.~~

SEC. 2. Section 8491 of the Fish and Game Code is amended and renumbered to read:

~~8491.~~

~~8490. The taking of crayfish shall be subject to such regulations as prescribed by the commission may prescribe.~~

SEC. 3. Section 8491 is added to the Fish and Game Code, to read:

8491. (a) The department may establish a commercial fishery for crayfish in Lake Tahoe.

(b) Any allowance for the commercial taking of crayfish in Lake Tahoe shall be for the primary purpose of population reduction and control of the signal crayfish, an invasive species. The department may allow the commercial taking of crayfish only to the extent that it is consistent with state goals for management of invasive species and environmental standards.

(c) The commission shall ensure that, with respect to the taking of crayfish for commercial purposes in Lake Tahoe, the commission's regulations are consistent with the Lake Tahoe Region Aquatic Invasive Species Management Plan, as amended.

(d) The department may impose a charge on participants in the commercial fishery to reimburse the department and other applicable state agencies for the reasonable costs of implementing and enforcing the commercial crayfish fishery, including, but not limited to, the costs incurred by the department or other applicable state agencies to comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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